

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA	)	
	)	CASE NO.: 1:15cr0038
Plaintiff,	)	
	)	JUDGE CHRISTOPHER A. BOYKO
vs.	)	
	)	<u>NOTICE AND MOTION IN LIMINE TO</u>
DAVID WAYNE VICKERS,	)	<u>EXCLUDE CERTAIN EVIDENCE AND</u>
	)	<u>ARGUMENTS</u>
Defendant.	)	
	)	

PLEASE TAKE NOTICE that on November 23, 2015 at 11:00 a.m., or as soon thereafter as counsel may be heard, the defendant, David Wayne Vickers, by and through counsel, will and hereby does move this Honorable Court to exclude the introduction of evidence and argument pertaining to certain issues, specifically that the Government should be prohibited from introducing evidence or making argument pertaining to: internet and mobile chat logs or similar communications between the defendant and other individuals not involved in the investigation into the alleged offenses, including but not limited to, KIK messenger logs, Experience Project message logs, and Google chat message logs, and other associated general postings on Experience Project made by the defendant.

Defendant requests this Court hold an evidentiary hearing at which the testimony and evidence proffered in this motion and accompanying memorandum of law will be presented in support of defendant's position.

This motion is based on this notice, the accompanying memorandum of law, on such supplemental points and authorities as may be hereafter filed with this Court, and on such oral and documentary evidence as may be presented at the hearing in this matter.

**DAVID WAYNE VICKERS**

By                     /s/                      
Of Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 5th day of November, 2015, a copy of the foregoing Motion *in Limine* will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/

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/s/

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